



P.O. BOX 1005, BRIGHAM CITY, UTAH 84302

*Application and Requirements for Multi-Family Residential,
Commercial or Manufacturing*

CONDITIONAL USE PERMIT

Petition No.: _____ **Date:** _____

Land Serial No.: _____

Address of Site: _____

Applicant's Name: _____

Address: _____

Phone: _____

Fee Schedule: **\$250.00** for projects 1 acre and less, plus **\$50.00** for each additional acre.

*Application is hereby made to the Brigham City Planning Commission requesting the following permitted use(s),
approved on _____, and design review be
(Sq. Ft. or Acreage) of property in the _____ zone in accordance
with the attached site plan. (See attachment for site plan requirements).*

Signed: _____ **Date:** _____
(Owner/Petitioner)

Planning Commission scheduled to hear this application for site plan design approval on:

Date: _____ Decision of Commission: _____

Planning Commission sets public hearing:

Date: _____ Decision of Commission: _____

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) ss
COUNTY OF BOX ELDER)

I, (we) _____, being duly sworn, depose and say that I, (we) am (are) the owner(s)* or authorized agent(s) of the owner, of property involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

* May be owner of record, contact owner, party to valid real estate purchase contract, party to valid earnest money agreement, option holder or have other legal control of property.

Property Owner

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

Residing in:
My Commission Expires:

AGENT AUTHORIZATION

(Required when the applicant is **not** the property owner)

I, (we) _____, the owner(s) of real property at _____, do authorize _____ to represent me (us) as my (our) agent with regard to this application affecting the above described real property, and to appear on my (our) behalf before any City Boards considering this application.

Dated this _____ day of _____, 20_____.

Property Owner

Notary Public

My Commission Expires:

Chapter 29.06

CONDITIONAL USES

29.06.010.	Purpose
29.06.020.	Permit Required
29.06.030.	Application
29.06.040.	Fee
29.06.050.	Public Hearing
29.06.060.	Determination
29.06.070.	Appeals of Decision
29.06.080.	Inspection
29.06.090.	Time Limit

29.06.010. Purpose

Certain uses which may be harmonious under special conditions and in specific locations within a district, but be improper under general conditions and in other locations, are classed as conditional uses within the various districts and require conditional use permits for approval.

29.06.020. Permit Required

A conditional use permit shall be required for all uses listed as conditional uses in the district regulations or elsewhere in this Ordinance. A conditional use permit may be revoked upon failure to comply with conditions precedent to the original approval of the certificate.

29.06.030. Application

A conditional use permit application shall be made to the building inspector as provided in this Ordinance. He shall submit the application to the Planning Commission, except that the Planning Commission may authorize the Zoning Administrator to grant or deny conditional use permits, subject to such limitations or qualifications as are deemed necessary. Applications for a conditional use permit shall be accompanied by maps, drawings, statements, or other documents as required by the Planning Commission.

29.06.040. Fee

The application for any conditional use permit shall be accompanied by the appropriate fee as determined by the Governing Body.

29.06.050. Public Hearing

No public hearing need be held. However, a hearing may be held if the Zoning Administrator or Planning Commission shall deem a hearing to be necessary and in the public interest.

29.06.060. Determination

The Planning Commission, or upon authorization the Zoning Administrator, may permit a conditional use to be located within any district in which the particular conditional use is permitted by the use regulations of this Ordinance. In authorizing any conditional use the Planning Commission shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission shall not authorize a conditional use permit unless the evidence presented is such as to establish:

- A. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity, and,
- B. That the proposed use will comply with regulations and conditions specified in this Ordinance for such use,
- C. The Planning Commission shall itemize, describe, or justify the conditions imposed on the use.

29.06.070. Appeals of Decision

Any person shall have the right to appeal the decision of the Zoning Administrator to the Planning Commission. Appeals from the decision of the Planning Commission shall be to the Board of Adjustment. All appeals must be filed with the Secretary of the Board of Adjustment within thirty (30) days of the date of the final decision of the Planning Commission.

29.06.080. Inspection

Following the issuance of a conditional use permit by the Zoning Administrator or the Planning Commission, the Zoning Administrator shall approve an application for a building permit, and shall insure that development is undertaken and completed in compliance with said conditional use and building permit.

29.06.090. Time Limit

- A. A conditional use permit for temporary uses may be issued for a maximum period of six (6) months, with renewals at the discretion of the Planning Commission for not more than three (3) successive periods thereafter.
- B. Unless there is substantial action under a conditional use permit within a maximum period of one (1) year of its issuance, the said permit shall expire.

The Planning Commissioner may grant a maximum extension for six (6) months, when deemed in the public interest.

CONDITIONAL USE PERMIT

Checklist for Acceptance of Conditional Use Permit Applications:

1. Application completely filled out with signatures of property owner and fee.
2. Twenty (20) copies of site plans (building elevations, signage, etc.), two (2) copies of storm water drainage and calculations.

NOTE: If the Zoning Administrator is authorized to act in behalf of the Planning Commission, only two (2) copies of the site plan will be required.

Plans need to show the following ...

1. **Vehicle and pedestrian access**
 - _____ Location and dimensions of parking stalls and entrances
 - _____ Handicap parking and access
 - _____ Number of parking spaces per ordinance
 - _____ Surfacing and lighting of parking areas
 - _____ Location and arrangement of truck loading and unloading facilities
2. **Signage**
 - _____ Location, size, height, etc.
 - _____ Colors, lighting, etc.
3. **Landscaping**

(Minimum of _____% total for project area). Landscaping may be submitted on separate document for clarity.

 - _____ Location, height, and materials of walls, fences, hedges, and screen planting
 - _____ Number, type, maturity and size of all landscape planting
 - _____ Method of irrigation
 - _____ Location of water meter, point of connection, and any blow out or winterizing system
 - _____ Location, type, and size of any existing trees over 4" caliper.
4. **Site Layout**
 - _____ Building locations, dimensions and orientation of the parcel
 - _____ Identify the proposed use of all buildings
 - _____ The location of any overhead power, communication, and transmission lines that may affect subject property
 - _____ Architectural elevation drawings of all proposed buildings
5. **Utility and Engineering**
 - _____ Storm water plans, calculations
 - _____ Utility easements (existing and proposed)

Time Limitations on Approval:

If construction of any development for which design approval has been granted, has not been commenced within twelve (12) months from date of Conditional Use Permit approval, the approval shall be deemed automatically revoked. Upon application an extension of time may be granted by the Planning Commission or by the Zoning Administrator if authorized.

